

Amberlea Davis

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@SheIsMyLawyer.com

*Proposed Attorney for Debtor***UNITED STATES BANKRUPTCY COURT
DISTRICT NEVADA**

IN RE: SCHULTE PROPERTIES, LLC

DEBTOR

CASE: 17-12883-mkn

CHAPTER 11

Hearing Date: August 30, 2017

Hearing Time: 9:30 am

Estimated Time for Hearing: 15

**MOTION TO ASSUME UNEXPIRED LEASE BETWEEN SCHULTE PROPERTIES
LLC AND TENANTS FOR RESIDENTIAL PROPERTY AT 2460 AVENIDA CORTES,
HENDERSON NV 89074-6349 PURSUANT TO 11 U.S. CODE § 365****NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING**

Pursuant to LR 9014.1, the court will consider this motion, objection, or other matter without further notice of hearing unless a party in interest files an objection within twenty-one (21) days from the date of service of this paper. If you object to the relief requested in this paper, you may file your objection at the bankruptcy clerk's office located in Las Vegas at the United States Bankruptcy Court, 300 Las Vegas Blvd. South, Las Vegas, Nevada 89101, and serve a copy on the movant's attorney and any other appropriate persons.

The objecting party has a duty to timely set the objection for a hearing and properly notice all parties in interest. If you do not file an objection within the time permitted, then:

- The court may refuse to allow you to speak at the scheduled hearing; and
- The court may rule against you without formally calling the matter at the hearing; and
- An order granting the requested relief may be entered by the court without further notice or hearing.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Debtor, Schulte Properties LLC, moves this court for an order authorizing debtor to assume the unexpired lease between Melani Schulte and tenants, CHRIS WIRTA and MARY WIRTA.

As grounds for the assumption, Debtor states:

1. This case was commenced on May 31, 2017 by a voluntary petition for relief under chapter 11 of title 11 of the United States Code.
2. Schulte Properties LLC is the debtor in possession.
3. Melani Schulte is the sole member of Schulte Properties LLC. Melani Schulte is the prior owner and Schulte Properties LLC is the current owner of the property located at 2460 AVENIDA CORTES, HENDERSON NV 89074-6349 ("the Subject Property"). The tenants, CHRIS WIRTA and MARY WIRTA, signed a lease with Melani Schulte which should be assigned to Schulte Properties LLC as the current property owner.
4. No prior motion for acceptance of this lease has been filed and no plan has been confirmed.
5. The Subject Property is a single family residence with 1302 square feet of livable space, 3/2 bedrooms / bathrooms, 1 stories and no pool.
6. Pursuant to 11 U.S.C. section 365, debtor asks the Court to accept the lease between the tenants, CHRIS WIRTA and MARY WIRTA, and Melani Schulte as between Schulte Properties LLC and the tenants. The terms of the lease are as follows:
 - a. The lease expires on 3/31/18.
 - b. The gross rent is \$1,450.00.
7. The assumption of the lease is in the best interest of the estate.

8. A copy of the unexpired lease is available upon request and has already been provided to the Office of the US Trustee.

Applicable Legal Standards

Section 365 governs the treatment of executory contracts and unexpired leases. Subject to bankruptcy court approval, a debtor-in-possession may assume or reject an executory contract or unexpired lease of the debtor. See 11 U.S.C. § 365(a).² Moreover, the trustee may assume or reject an unexpired lease of residential real property at any time before the confirmation of the plan. See 11 U.S.C. § 365(d)(2).

In this case, a plan has not yet been confirmed and the court has jurisdiction to approve the assumption of the unexpired lease.

Conclusion

WHEREFORE, debtor prays for an order from the Court authorizing and approving the assumption of the unexpired lease between Schulte Properties LLC and CHRIS WIRTA and MARY WIRTA as being in the best interest of the estate.

Dated: 26 July 2017



AMBERLEA DAVIS
Proposed Counsel for Debtor
NV Bar #11551

² While Section 365 refers to the rights and obligations of a bankruptcy trustee, a Chapter 11 debtor-in-possession has the same rights and obligations, with exceptions not applicable to this case, under Section 1107(a).

Amberlea Davis

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@SheIsMyLawyer.com*Proposed Attorney for Debtor*

**UNITED STATES BANKRUPTCY COURT
DISTRICT NEVADA**

IN RE: SCHULTE PROPERTIES, LLC

DEBTOR

CASE: 17-12883-mkn

CHAPTER 11

Hearing Date: August 30, 2017

Hearing Time: 9:30 am

Estimated Time for Hearing: 15

Certificate of Service

On July 26, 2017, I served the above documents listed as

- Motion to Assume Unexpired Lease between Schulte Properties LLC and Tenants for Residential Property at 2460 AVENIDA CORTES, HENDERSON NV 89074-6349 Pursuant to 11 U.S.C § 365; and
- Notice of Hearing on Motion and Opportunity to Object

were served by the following means to on the persons listed below:

1. Via ECF System:

Amberlea Davis on behalf of Debtor Schulte Properties LLC,
amber@sheismylawyer.com

2. By United States Mail, First Class Postage Prepaid:

- AJA CAMPBELL, LESSOR, 3729
DISCOVERY CREEK AVE,

NORTH LAS VEGAS NV 89031-
3603

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300
Las Vegas, Nevada 89101
Telephone: 702.518-4377

- ALEXANDRA REIMANN, LESSOR, 3383 CLOVERDALE CT, LAS VEGAS NV 89117-3951
- BILLY OBEDOZA, LESSOR, 5218 MISTY MORNING DR, LAS VEGAS NV 89118-0600
- BRENDA TORRES LOPEZ, LESSOR, 9500 ASPEN GLOW DR, LAS VEGAS NV 89134-0134
- CHRIS WIRTA, LESSOR, 2460 AVENIDA CORTES, HENDERSON NV 89074-6349
- CHRISTOPHER MARTANO, 1392 ECHO FALLS AVE, LAS VEGAS NV 89183-6377
- CLINT FISHER, LESSOR, 956 OSTRICH FERN CT, LAS VEGAS NV 89183-4050
- DULCE B. SOLIZ, LESSOR, 6091 PUMPKIN PATCH AVE, LAS VEGAS NV 89142-0791
- GREGORY L. WILDE, ESQ., TIFFANCY AND BOSCO, 212 S JONES BLVD, LAS VEGAS NV 89107-2657
- JAMES CRAIG, LESSOR, 9020 FEATHER RIVER CT, LAS VEGAS NV 89117-2367
- JESSIE C. GAYTAN, LESSOR, 6091 PUMPKIN PATCH AVE, LAS VEGAS NV 89142-0791
- JURIS ORE, LESSOR, 2290 SURREY MEADOWS AVE, HENDERSON NV 89052-2335
- KAMI CONSELVA, LESSOR, 5218 MISTY MORNING DR, LAS VEGAS NV 89118-0600
- KAREN TAYLOR, LESSOR, 3729 DISCOVERY CREEK AVE, NORTH LAS VEGAS NV 89031-3603
- LINDA REINA, LESSOR, 7873 BRIDGEFIELD LN, LAS VEGAS NV 89147-5099
- LUIS LOPEZ, LESSOR, 2614 SWEET LEILANI AVE, NORTH LAS VEGAS NV 89031-0693
- MARIA LOPEZ, LESSOR, 2614 SWEET LEILANI AVE, NORTH LAS VEGAS NV 89031-0693
- MARY WIRTA, LESSOR, 2460 AVENIDA CORTES, HENDERSON NV 89074-6349
- MELANI SCHULTE, 9811 W CHARLESTON BLVD STE 2-351, LAS VEGAS NV 89117-7528
- MICHAELA MARTANO, LESSOR, 1392 ECHO FALLS AVE, LAS VEGAS NV 89183-6377
- MONICA MONTERO, LESSOR, 9500 ASPEN GLOW DR, LAS VEGAS NV 89134-0134
- NETTIE JOHNSTON, LESSOR, 2290 SURREY MEADOWS AVE, HENDERSON NV 89052-2335
- ROBERT LOPEZ, LESSOR, 1528 SPLINTER ROCK WAY, NORTH LAS VEGAS NV 89031-1617
- ROSANNA LOPEZ, LESSOR, 1528 SPLINTER ROCK WAY, NORTH LAS VEGAS NV 89031-1617
- SANDRA SCHAFER, LESSOR, 3383 CLOVERDALE CT, LAS VEGAS NV 89117-3951
- SHAUNA BROGAN, LESSOR, 1624 DESERT CANYON CT, LAS VEGAS NV 89128-7900
- BAC HOME LOAN SERVICING, LP, PO BOX 942019, SIMI VALLEY CA 93094-2019
- BAYVIEW LOAN SERVICING, LLC, 4425 PONCE DE LEON BLVD FL 5, CORAL GABLES FL 33146-1837
- CHASE HOME FINANCE, LLC, 3415 VISION DR, COLUMBUS OH 43219-6009

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300
Las Vegas, Nevada 89101
Telephone: 702.518-4377

- CITIMORTGAGE, INC, PO BOX 10002, HAGERSTOWN MD 21747-0002
- CITY NATIONAL BANK, PO BOX 60938, LOS ANGELES CA 90060-0938
- CLARK COUNTY ASSESSOR, 500 S GRAND CENTRAL PKWY # 2, LAS VEGAS NV 89155-4502
- COPPER RIDGE C/O COLONIAL MGMT, PO BOX 63275, PHOENIX AZ 85082-3275
- CREEKSIDE HOA C/O FIRST RESIDENTIAL, PO BOX 54089, LOS ANGELES CA 90054-0089
- DAVID PIERCE, 9811 W CHARLESTON BLVD STE 2-279, LAS VEGAS NV 89117-7528
- EFREN SOTELO, 1401 SMOKEY GLEN CIR, LAS VEGAS NV 89110-1313
- ELDORADO FIRST C/O TERRA WEST PROPERTY, PO BOX 80900, LAS VEGAS NV 89180-0900
- ELISA CHADBOURNE, 5840 TUSCAN HILL CT, LAS VEGAS NV 89141-3895
- FEDERAL HOME LOAN MORTGAGE CORP, 8200 JONES BRANCH DR, MCLEAN VA 22102-3107
- FEDERAL NATIONAL MORGATE ASSOCIATION, 3900 WISCONSIN AVE NW, WASHINGTON DC 20016-2806
- FEDERAL NATIONAL MORTGAGE ASSOCIATION, PO BOX 10002, HAGERSTOWN MD 21747-0002
- FIFTH THIRD BANK MTG LOAN SCV, MD 1MOC FP, 5050 KINGSLEY DR, CINCINNATI OH 45227-1115
- FIRST AMERICAN TRUSTEE SERVICING Solutio, 1500 SOLANA BLVD STE 6100 BLDG 6, WESTLAKE TX 76262-1709
- GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, 451 7TH ST SW RM B-133, WASHINGTON DC 20410-0001
- GREEN TREE SERVICING LLC - DITECH FIN, PO BOX 6176, RAPID CITY SD 57709-6176
- GREEN VALLEY RANCH, HOA CO TERRA WEST, PO BOX 94617, LAS VEGAS NV 89193-4617
- GREENTREE SERVICING LLC, PO BOX 6176, RAPID CITY SD 57709-6176
- INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATION, PO BOX 7346, PHILADELPHIA PA 19101-7346
- IRS, INSOLVENCY DEPARTMENT, CINCINNATI OH 45999-0023
- JP MORGAN CHASE BANK, PO BOX 183166, COLUMBUS OH 43218-3166
- LUCY INNUSO, 7413 LATTIMORE DR, LAS VEGAS NV 89128-3214
- MTC FINANCIAL INC DBA TRUSTEE CORP, 3571 RED ROCK ST STE B, LAS VEGAS NV 89103-1256
- NATIONAL DEFAULT SERVICING CORP, 7720 N 16TH ST STE 300, PHOENIX AZ 85020-7404
- NETTIE JOHNSTON, 2290 SURREY MEADOWS AVE, HENDERSON NV 89052-2335
- NORTHWEST TRUSTEE SERVICES, INC, 2121 ALTON PKWY STE 110, IRVINE CA 92606-4958

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300
Las Vegas, Nevada 89101
Telephone: 702.518-4377

- OCWEN LOAN SERVICING LLC,
PO BOX 24736, WEST PALM
BEACH FL 33416-4736
- PEBBLE CREEK HOA, 8595 S
EASTERN AVE, LAS VEGAS NV
89123-2823
- SANDRA SCHAFER, 3383
CLOVERDALE CT, LAS VEGAS
NV 89117-3951
- SCHULTE PROPERTIES, LLC,
9811 W CHARLESTON BLVD STE
2-351, LAS VEGAS NV 89117-
7528
- SEASIDE TRUSTEE INC, PO BOX
752377, LAS VEGAS NV 89136-
2377
- SECRETARY OF STATE, 101 N
CARSON ST STE 3, CARSON
CITY NV 89701-3714
- SELENE FINANCE LP, PO BOX
421517, HOUSTON TX 77242-1517
- SETERUS, INC., PO BOX 1077,
HARTFORD CT 06143-1077
- SHELLPOINT MORTGAGE
SERVICING, PO BOX 740039,
CINCINNATI OH 45274-0039
- SILVERADO RNCH LMA C/O
FIRST SERVICE RES, PO BOX
54089, LOS ANGELES CA 90054-
0089
- SUMMERLIN NORTH
COMMUNITY ASSOC, 2120
SNOW TRL, LAS VEGAS NV
89134-6709
- TD SERVICE COMPANY, 4000 W
METROPOLITAN DR STE 400,
ORANGE CA 92868-3503
- U.S. TRUSTEE - LV - 11, 300 LAS
VEGAS BLVD S STE 4300, LAS
VEGAS NV 89101-5803
- UNITED STATES BANKRUPTCY
COURT, 300 LAS VEGAS BLVD
S, LAS VEGAS NV 89101-5833
- WELLS FARGO HOME
MORTGAGE, PO BOX 7198,
PASADENA CA 91109-7198
- WEST SAHARA COMMUNITY
HOA C/P FIRST SERV, PO BOX
54089, LOS ANGELES CA 90054-
0089
- SABLES, LLC, 3753 HOWARD
HUGHES PKWY STE 200, LAS
VEGAS NV 89169-0952
- CINDY LEE STOCK, SABLES
LLC, 608 S 8TH ST, LAS VEGAS
NV 89101-7005
- IMAGE FINANCE, LLC, 4751
WILSHIRE BLVD STE 203, LOS
ANGELES CA 90010-3860

Dated: 26 July 2017

AMBERLEA DAVIS
Proposed Counsel for Debtor
NV Bar #11551